



U. S. Department of Justice

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**FOR IMMEDIATE RELEASE
September 14, 2004**

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GUILTY VERDICT FOR YMCA EMPLOYEE

United States Attorney Maxwell Wood, announces that Toni Fillyaw was convicted on Friday, September 10, 2004, at about 5:00 p.m. after a four day trial, in United States District Court in Valdosta, Georgia, with the Honorable Judge Hugh Lawson presiding. Fillyaw was convicted of all four counts in the Indictment: including embezzlement of funds from the YMCA, mail fraud and mailing fraudulent financial statements to the YMCA-USA.

Seventeen witnesses testified for the Government against Fillyaw. The Government proved that Fillyaw stopped paying the payroll taxes (both state and federal) on behalf of about 150 YMCA employees in 1999. Fillyaw continued to file false quarterly tax returns, but retained the tax monies in the YMCA operating account. She continued to do this over the next four years until the scheme was discovered in 2002. Fillyaw created a tax liability on behalf of the YMCA in excess of 1.3 million dollars, none of which has been paid.

In order to cover up her embezzlement, Fillyaw created fraudulent bank statements on her computer at the YMCA, and sent them to the YMCA's accountant in order to deceive the YMCA's accountant into believing that monies were not being improperly diverted. A Government witness from the Bank of America testified that she examined the questioned bank statements on Fillyaw's computer, compared them to actual Bank of America statements and concluded that the questioned statements were not authentic Bank of America documents. This conclusion was based on the form and style of the type and layout, and because the balances had been altered.

The Government's evidence showed that Fillyaw wrote herself over 168 checks, in the total amount of approximately \$40,000.00 on the YMCA account from 1999 - 2002. Most of these checks she disguised as pay checks. She also made approximately \$23,000.00 personal purchases at Wal-Mart using the YMCA's credit card.

Fillyaw was represented by Valdosta defense attorneys, Mr. Sam Dennis and Mr. Jody Peterman. Defense counsel claimed during the trial that Fillyaw was authorized to write the checks and use the credit card for her own benefit.

The jury deliberated 1 hour and 45 minutes before delivering a **GUILTY** verdict.
Fillyaw will be sentenced in approximately two months, a date has not yet been set. She faces a maximum possible term of ten years imprisonment.

Any questions concerning this matter should be addressed to Sue McKinney, Press Contact, United States Attorney's Office, at (478) 621-2602 or AUSA Jim Crane in Albany, Georgia at (229) 430-7756.

APPROVED FOR RELEASE

MAXWELL WOOD
UNITED STATES ATTORNEY